

Appl. No. 10/800,041
Amdt. Dated Sep. 29, 2005
Reply to Office Action of Jun. 30, 2005

Remarks

Claims 1-10 were pending in the present application before this Amendment. By this Amendment, claims 1, 9 and 10 are amended. Claims 2-8 remain the same. One new claim 11 is introduced.

The new claim 11 is introduced to conform the claim to the embodiment of the present invention as shown in figure 2. Therefore, applicant asserts that no new matter is added.

Claim Rejection under 35 U.S.C. 102

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by Choi (Derwent-2001-439,151). In response to the rejection, applicant has amended claim 10.

Regarding amended independent claim 10, this includes a method of capturing a picture, the method comprising a step of providing an image sensor module with a camera lens, which defines a non-spherical surface and a planar surface. Choi discloses a non-spherical lens (240), which includes a first non-spherical surface (241) and a second non-spherical surface (242). The non-spherical lens is formed along a direction of incident light in the synthetic resin cover (230). However, Choi fails to disclose a camera lens having a non-spherical surface and a planar surface. Applicant asserts that Choi does not disclose, teach, or otherwise suggest the invention as currently set forth in claim 10, as amended.

In summary, claim 10 is submitted to be patentable under both 35 U.S.C. 102 and 103 over Choi.

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Claim Rejections under 35 U.S.C. 103

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi (Derwent-2001-439,151) in view of Anderson (US 6,563,535). In response to these rejections, applicant has amended claims 1 and 9.

Regarding amended independent claims 1 and 9, the present invention discloses a digital camera comprising an image sensor module, the image sensor module comprising a camera lens with a non-spherical surface and a planar surface. Choi discloses a non-spherical lens (240), which includes a first non-spherical surface (241) and a second non-spherical surface (242). The non-spherical lens is formed along a direction of incident light in the synthetic resin cover (230). However, Choi fails to disclose a camera lens having a non-spherical surface and a planar surface. In addition, applicant submits that it is not simply a mechanical exercise for an artisan to obtain a new camera lens. A workable new camera lens involves numerous parameters and considerations, at least some of which may be interrelated. A person of ordinary skill in the art could not have derived from Choi or from Choi in view of Anderson the digital camera of the present invention. Therefore applicant asserts that the digital camera defined in claims 1 and 9 of the present invention is unobvious over these references.

In summary, it is submitted that amended independent claims 1 and 9 and also claim 10 are all patentable under 35 U.S.C. 103 over Choi in view of Anderson. Therefore claims 2-8, which depend directly or indirectly from claim 1, should also be patentable.

Also, newly added claim 11 is submitted to be patentable under 35 U.S.C. 102 and 103 over the two above references, because this claim indirectly depends from claim 1.

Finally, the other references listed by Examiner in the Notice of

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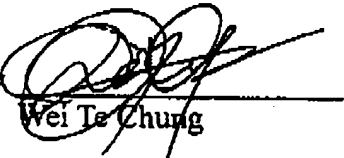
References Cited also fail to disclose said unique features of the present invention as detailed above. Therefore, a fortiori, claims 1-11 should be allowable.

In view of the above amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,

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By



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